

Prob 12
(Rev. 3/88)

SCANNED

UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA

'07 MAY -3 P3:02

U.S.A. vs. Carlos Ayala Marrero

Docket No. 04-00032-003 Erie

CLERK
U.S. DISTRICT COURT
Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of CARLOS AYALA MARRERO, who was placed on supervision by the Honorable Maurice B. Cohill, Jr., sitting in the Court at Erie, Pennsylvania, on the 8th day of June 2005, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.
- The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. The defendant shall submit to one drug urinalysis within 15 days after being placed on supervision and at least two periodic tests thereafter
- The defendant shall refrain from use, possession, and purchase of alcohol.
- The defendant shall make restitution in the amount of \$3,868.34 to the following: Allstate Insurance Company, Claim No. 5132653963KLN, 1721 Cochran Road, Pittsburgh, Pennsylvania 15220, in the amount of \$427.34; and Kathleen Sivik, 9931 Williamson Road, Meadville, Pennsylvania 16335, in the amount of \$3,441. Restitution shall be paid jointly and severally with Hiram Edgardo Garcia and Pedro Cubero.
- The defendant shall notify the United States Attorney for this district within 30 days of any change of mailing or residence address that occurs while any portion of the restitution remains unpaid.
- The defendant shall pay any remaining restitution through monthly installments of not less than 10 percent of his gross monthly income.
- The defendant shall provide the probation officer with access to any requested financial information.
- The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
- The defendant shall pay to the United States a special assessment of \$100.

06-08-05: Stealing Firearms From a Licensed Firearms Dealer; 18 months' custody of the Bureau of Prisons, to be followed by 3 years' supervised release.

09-21-05: Released to supervision; Currently supervised by U. S. Probation Officer David J. Conde.

03-28-06: Judgment modified by Senior United States District Judge Maurice B. Cohill, Jr., to include participation in the Bureau of Prisons' Comprehensive Sanctions Center program for a period not to exceed 180 days.

04-09-07: Petition signed Judge Cohill for show cause hearing scheduled for May 16, 2007, at 10 a.m.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR
CAUSE AS FOLLOWS:**

Your Petitioner reports that the supervised releasee has violated the following conditions:

The defendant shall refrain from any unlawful use of a controlled substance.

The defendant shall not illegally possess a controlled substance.

Mr. Marrero tested positive for cocaine on March 29, 2007. The positive test was confirmed by Scientific Testing Laboratories, Incorporated, on April 6, 2007.

PRAYING THAT THE COURT WILL ORDER that the above-cited alleged violations of supervision be incorporated as part of the Petition Action previously made a part of the records in this case on April 7, 2007.

ORDER OF COURT

Considered and ordered this _____ day of
_____, 20 ____ and ordered filed and made
a part of the records in the above case.

Senior U.S. District Judge

I declare under penalty of perjury that the
foregoing is true and correct.

Executed
on

May 3, 2007

David J. Conde

David J. Conde
U.S. Probation Officer

Gerald R. Buban

Gerald R. Buban
Supervising U.S. Probation Officer

Place: Erie, PA